

REMARKS

The present Amendments and Remarks are in response to the Office Action dated December 19, 2008, in which the Office Action issued a rejection of claims 1-8 and 11. The Examiner also indicated that the Applicant's claims 3-4 and 7-8 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form. In view of the amendments and remarks presented herein, the Applicant respectfully requests that the pending claims be placed in a state of allowance. No new matter has been added.

A. Claim Amendments

The Applicant has amended independent claim 1 to include the limitations of recently cancelled claim 3 and recently cancelled claim 2; notice that claim 3 depends from claim 2 which, in turn, depends on claim 1. Applicant respectfully submits that recently amended claim 1 now includes all the limitations of recently cancelled claim 3.

With respect to recently cancelled claim 4, the Applicant has submitted a new claim 12 that includes the limitations of claim 1 and dependent claim 4. Thus, Applicant respectfully submits that new claim 12 includes the limitations of allowable claim 4.

With respect to new claim 13, this new claim includes the limitations of claim 1 and claim 7, which depends from claim 1. The Applicant respectfully submits that new claim 13 includes the limitations of allowable claim 7.

New claim 14 is similar to claim 8 in that claim 14 depends on new claim 13. The Applicant submits that claim 14 includes the limitation of allowable claim 8.

The Applicant has also recently cancelled claim 11.

B. Anticipation and Obviousness Rejection

The Examiner has rejected prior claims 1 and 11 under 35 U.S.C. §102(e) as being anticipated by Zhu et al. in U.S. Patent Publication 2003/0137976 (hereinafter referred to as "Zhu"). Additionally, the Examiner has rejected claims 2 and 5-6 as being unpatentable over Zhu for obviousness grounds.


Although the Applicant respectfully disagrees with the Examiner's rejection, the Applicant has amended the claims as indicated above to expedite the prosecution of this patent application.

C. Conclusion

In view of all of the foregoing, claims 1, 5-8, and 12-14 overcome the Examiner's rejections herein and are now patentably distinct and in condition for allowance, which action is respectfully requested.

Respectfully Submitted;

Dated: June 17, 2009



Michael A. Kerr
Reg. No. 42,722

Michael A. Kerr
KERR IP GROUP, LLC
P.O. Box 22028
Carson City, NV 89721
Tel: (775) 841-3388
Fax: (775) 841-3389